

Interstate / Intercountry Placement of Children

The ICPC (Interstate Compact on the Placement of Children) is statutory uniform law in all 50 states, the District of Columbia and the U.S. Virgin Islands. The Compact is intended to ensure the protection of children who are placed across state lines for foster care and adoption and to ensure that, when placed, appropriate retention of responsibility and communication among all parties involved will remain until lawful Compact termination. Procedures for the interstate and intercountry placement of children are intended to ensure that the proposed placement is not contrary to the interests of the child and are in compliance with state laws and regulations.

The Commissioner of the Virginia Department of Social Services, through the ICPC Office of the Division of Family Services Program, is responsible for approving and monitoring interstate placements of children.

In Virginia, the text of the Compact is found in the Code of Virginia, Title 63.2, Chapter 10 and Chapter 11. The Code of Virginia, Section 63.2-1104 addresses the interstate/intercountry placement of children into Virginia and Section 63.2-1105 is applicable to the placement of Virginia children out of the Commonwealth.

The Compact applies to four types of situations in which children may be sent to other states:

- Placement preliminary to an adoption;
- Placement into foster care, including foster homes, group homes, residential treatment facilities, and child-caring institutions;
- Placement with parents and/or specified relatives when a parent or specified relative is not making the placement;
- Placement of adjudicated delinquents into private institutions in other states.

Note: Information about a specific state's procedures, requirements, and interpretations and application of the ICPC should be obtained from the ICPC Compact Administrator or Deputy in that state.

